

VINCENT A. INDEGLIA

June 27, 2006

Federal Election Commission
Washington, D.C. 20463
Attention: Jeff. S. Jordan
Supervisory Attorney Complaints Examinations &
Legal Administration

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
JUL 3 11 49 AM '06
2006-JUN-30 3:11 A 9:38

Re: Your file No.: MUR 5750

Dear Mr. Jordan:

I am in receipt of your letter and enclosures dated June 12, 2006 and received by me on June 14, 2006 and after reviewing the information I individually respond accordingly.

I should probably state from the out set that had I known that 75 sheets of paper espousing my personal opinions would cause such a furor, I would have ensured that they would at least have been effective. But for the opportunistic propaganda created by Mr. Lang in his various press releases and this complaint I am fairly confident that most of the letters I created have by now found their way to the State recycling yard unread and not understood.

Relative to the substance of the complaint I would like to address specific factual allegations made by Ian Lang on behalf of Chafee for Senate. The first bullet point of the complaint states: "This is explicitly discussed by Mr. Vincent Indeglia in a letter sent to all of his employees at American Labor Services, Inc on Mr. Laffey's behalf" (*emphasis added*). On the second page of the letter under the heading of "Vincent Indeglia and American Labor Services, Inc." in the first paragraph it is again alleged that the "letter" was distributed to "all" American Labor employees (*emphasis on the word all added*). Again in the third paragraph and the last paragraph (page 3) of the same section the complainant continues to make the unfounded allegation that all American Labor employees were sent the "letter", (*emphasis again added on the concept that the letter was delivered to all employees*). This assertion as a matter of fact is categorically untrue. First I sent nothing, by mail or otherwise. Second American Labor Services on an annual basis employees over 2,500 W-2 wage earners. These individuals are placed by American Labor Services to work at part time seasonal and cyclical manual labor and light industrial labor jobs. Most of these employees work for this temporary employment agency no more than 2 to 3 months before moving on to another more permanent job. I never provided the letter in question to all of these employees in any way shape or form. Allow me to elaborate.

I did in fact draft the letter attached to the complaint. I did so as an individual citizen with the intention of voicing my personal opinion regarding immigration issues and the

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candidates in Rhode Island running for U.S. Senate. Reading the text of the letter it ought to be clear that I am writing it as an individual as it contains numerous references to my personal life and family history and states that "I" am trying to do something; that "I" have studied issues; and that "I" have formed "my" particular opinions. Upon drafting the letter on my time I printed it out at my office and I ran somewhere between 50 and 100 copies of the letter. Several days later, on a Friday, I put those copies on a counter in the lobby of the American Labor Services, Inc., office. This counter is located in an open area and numerous brochures, advertisements, free newspapers and magazines are left there for applicants and employees to review, take or read. I can represent that not all of the letters were taken. I know that they were not all taken because sometime in early to mid April Katherine Gregg of the Providence Journal contacted me. She kindly advised me that my letter was causing a stir in the Chafee campaign. She indicated that Senator Chafee, through his campaign staff was alleging that I had violated the Federal Election Campaign Act by printing such a letter and she sent me a copy of the sections of the act alleged to be violated. I know that there were not enough letters printed to give to all employees. I also know that individuals other than employees, including applicants, vendors, sales people, clients and visitors, frequent the area where they were left. I also know that after I received Ms. Gregg's telephone call, out of an abundance of caution I removed the remaining letters from the counter. I would estimate there were between 20 to 25 letters. I have no idea how the letter came into the possession of the Chafee Campaign as I certainly did nothing to provide them a copy.

I point this out candidly because I do not know who took the letters, but I do know they were not mailed to, sent to or in any way shape or form delivered to all of the employees of American Labor Services, Inc. The Chafee for Senate complaint would lead one to believe that I used my position as an officer (I am not an owner) of a privately held small business to coerce employees. Such was not the case nor was it ever my intention.

The complaint also alleges that I have a close relationship with Stephen Laffey and his campaign. Nothing could be further from the truth. I knew Stephen Laffey as a child from ages 9 through 11 where we swam on a YMCA swim team together (*circa 1972*). Since then I never spoke to Mr. Laffey until just before April 26, 2006. In January 2006 I made a personal decision to assist Mr. Laffey in his bid for U.S. Senate because I personally believe, based upon his track record, and the fact that he tells the truth, unlike Mr. Chafee, he would be a good senator for Rhode Island. I believed holding a fundraiser would be helpful. I also believed that my letter would help him. However the two events were independent of one another. I did contact the Laffey Campaign in February 2006 to ask about having and hosting a fundraiser. They indicated they would be happy to have such an event. I prepared everything for the event and the only effort on the part of the Laffey campaign was approving the invitation I sent out.

As the time for the fundraiser neared and the immigration issue became news I drafted my letter on my own. In fact I had originally drafted it as a letter to the editor of the local newspapers and then at the last minute decided not to send the letter to the press. Instead I decided to leave it out on the counter of my office to determine what response it might generate. It was at that point in time that I put it on the stationary of American Labor

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Services and signed my name as president. I did so without ever speaking with either Mr. Laffey or anyone on his campaign staff. I never received the permission from or approval by the board of American Labor Services or its shareholder owners. In hindsight my speculative rationale would be that I wanted any reader to know who I was by giving them a reference point as well as a way to contact me if they wanted to discuss politically or ideologically any of my personal opinions. Not being an expert or even a neophyte in the realm of national politics I had no idea that the particular stationary I used might trigger a "national inquiry"

Apparently I am no Thomas Paine either for I have never had any feed back or response or discussion with anyone about the letter other than news reporters who called me after they were informed about it by the Chafee campaign. Oddly enough the only reason the letter ever received any notoriety (or infamy as the case may be) was because Lincoln Chafee has apparently decided to use it as fodder for a negative campaign tactic. Personally, I believe that to file this complaint against a mere individual of minimal political significance other than being a voter is a new low to Rhode Island politics.

As for Mr. Chafee's allegation that there exists a close relationship between the Laffey campaign or Stephen Laffey and myself, it is simply untrue. The fact of the matter is that my relationship with the Lincoln Chafee is much more familiar and spans family generations and may also give rise to understanding the true basis for this complaint. My father-in-law and Senator John Chafee were life long friends, my father in-law was appointed by and then served as then Governor Chafee's Chief Military Aide for the State of Rhode Island. After my father in-law passed on the family relationship continued. In 1995 I personally introduced Lincoln Chafee while he was Mayor of Warwick Rhode Island to Senator Arlen Specter, a relationship which has since benefited Mr. Chafee. The relationship between Mr. Chafee and me soured after I had represented a legal client that wanted to develop property in the City of Warwick. Lincoln Chafee, who was at the time Mayor for Warwick, advised me that he could move my client's project favorably if I would work on a local campaign for one of the challenging council men candidates running for office in the City of Warwick. I refused to do so. Later when the issue was published in the Providence Journal Mr. Chafee became outraged that I would not lie about the conversation. Mr. Chafee lied to the Providence Journal when questioned about the incident and denied the quid-pro-quo offer and rejection. I happened to be out of town travelling on business when the call came to me to verify or deny the event. Nonetheless Mr. Chafee has never again spoken to me. I believe that Mr. Chafee is not a truthful individual and like many petty individuals harbors a grudge. A grudge I might add that is wholly unjustified because it was a predicament he created by 1) bartering political favors and 2) lying about it.

Mr. Chafee has further alleged that I have created a voter list to provide to the Laffey campaign. He has suggested an investigation be initiated by the FEC to determine the relationship between me and Mayor Laffey, the discussions we have had relative to my letter and what voter lists I have provided to Mayor Laffey's campaign. I would welcome such an investigation and would cooperate without restriction. I proffer that the findings would conclusively demonstrate

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- 1) My relationship with Steven Laffey is nothing more than what I have already stated it is.
- 2) No discussions regarding the authoring of the letter, the thoughts put into the letter or the timing or opinions of the letter, were ever discussed with the Laffey campaign or Stephen Laffey, before or after the drafting. My one discussion with Mayor Laffey after the press issued its numerous stories regarding my letter consisted of my sincere apology for potentially causing him a problem and his acceptance of my apology. He asked that if I am questioned or complained against that I simply tell the truth, something that I would always do regardless of his request
- 3) As no one ever responded to my letter no voter list was ever created and no list of voters or list of anyone for any reason was ever provided by me or anyone on my behalf to either the Laffey campaign or Mayor Laffey. The assertions to the contrary by Ian Lang are pure fabrications.

These are the factual responses that I provide in response to the complaint made against me. Procedurally I would like to point out that 2 U S C section 437g (a)(1) states that the FEC must provide notice to a person named in a complaint filed with your office within 5 days of receipt of the complaint. The language of the statute is mandatory in that the legislature has deemed it appropriate to use the word "shall" in its direction to the Commission. I note that almost one month went by between the filing of the Chafee complaint and the notice to me as Agent for American Labor Services, Inc. Your letter indicates that there was an error in providing the notice however I do not believe that the administrative error obviates this requirement. Given the nature of the complaint, which I have already addressed, I would suggest that during the conciliation process this be considered in my favor as the respondent to the complaint.

In reviewing the particular sections which I am alleged to have violated, and case law interpreting those sections, it is also clear that Congress, in the enactment of the statutory scheme, was concerned with preventing corporate entities from using their potentially considerable financial resources to influence elections. It is also clear that Congress was concerned that communications to employees by Labor Unions and also corporations, regarding candidates for office, could be abused by a small minority to influence voting at polls and influence election results unfairly. Congress has regulated the speech that corporations may use regarding candidates running for office. The Supreme Court has upheld that legitimate interests support such a law and have in fact upheld reduced free speech under the 1st Amendment relative to corporations making statements in favor of or against particular candidates. However no such concerns exist as it relates to individuals. It is my assertion that regardless of the letterhead used in espousing my opinions, this was an individual who drafted and issued the letter and not a corporation.

I would also point out that there was no enhancement, including financial enhancement to the Laffey campaign. At most the cost of photocopying at best 100 letters at \$ 10 per copy amounts to \$10 00.

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It is my sincerest request that the Commission dismiss that portion of the complaint as it relates to me in either my capacity as an individual or even in my capacity as president of American Labor Services. Alternatively I will avail myself to a conciliation process

Sincerely,

A handwritten signature in cursive script, appearing to read "Vincent A. Indeglia". The signature is written in dark ink and is positioned above the printed name.

Vincent A. Indeglia

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